

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. Applicant name and address:

Applicant

Helena School District #1  
55 S. Rodney Street  
Helena, MT 59601

2. Type of action: Petition to Modify Change Authorization 41I 30046071
3. Water source name: Groundwater
4. Location affected by project: Jim Darcy School located in the SWSESE Section 18, Township 11 North, Range 3 West, Lewis and Clark County. The acres retired for mitigation are in the SENENW of Section 11, Township 10 North, Range 3 West, Lewis and Clark County.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-314 MCA are met. The Applicant proposes to modify Change Authorization 41I 30046071 to include pending Beneficial Use Permit 41I 3011825 in the condition language regarding mitigation. The change will now provide mitigation for both permits. Water authorized for mitigation of institutional use at Jim Darcy School in Change Authorization 41I 30046071 will continue to provide the same amount of mitigation for the same purpose at the same place of use, however the Institutional Use will now occur under pending Beneficial Use Permit 41I 3011825 rather than the previously authorized Beneficial Use Permit 41I 30046072.
6. Agencies consulted during preparation of the Environmental Assessment: None

**Part II. Environmental Review**

1. **Environmental Impact Checklist:**

**PHYSICAL ENVIRONMENT**

## **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

*Determination:* No Impact

The source is groundwater.

**Water quality** - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

*Determination:* No impact.

The source of water requiring mitigation is groundwater. The source of the mitigation water is groundwater and surface water from Prickly Pear Creek; however the groundwater provides the primary mitigation and a corresponding portion of the surface water rights was retired as the place of use was supplemental. The retirement of a portion of the water diverted from Prickly Pear Creek will not impact its water quality.

**Groundwater** - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

*Determination:* No impact.

The source requiring mitigation and the source of the mitigation is groundwater from the Helena Valley Aquifer. An amount of water in excess of the proposed volume has been determined to be physically and legally available in the source aquifer, and no impacts to existing water rights are anticipated. The purpose of this mitigation plan is to offset depletions to surface water by retiring existing irrigation from groundwater and has already been implemented.

**DIVERSION WORKS** - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

*Determination:* No impact.

The well requiring mitigation was completed on grounds already developed by the school. The only physical change to the diversions providing mitigation was a small reduction in the amount of water being diverted due to the retirement of irrigated acres.

## **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater,

*assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

*Determination: No Impact.*

The project requiring mitigation is located entirely within the grounds already developed for the school, and impacts to adjacent surface flows have been mitigated to prevent depletions. The retirement of irrigated acreage and diverted water occurred on land developed for agriculture and requires no further action as a result of this proposal.

**Wetlands** - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

*Determination: No impact.*

The project does not involve wetlands.

**Ponds** - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

*Determination: No impact.*

The project does not involve ponds.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

*Determination: No impact.*

The project involves land that has already been developed for the school or has already been developed for agricultural use.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

*Determination: No impact.*

The project involves developed land for the school and grounds where weeds are actively controlled, or lands developed for agricultural use.

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

*Determination: No impact.*

Utilization of the well for institutional use in the school and retirement of a portion of the irrigation rights for mitigation will not lead to increased air pollutants.

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

*Determination:* NA- The project is not located on State or Federal lands.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

*Determination:* No further impact identified.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

*Determination:* No impact.

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**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

*Determination:* No impact.

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**HUMAN HEALTH** - *Assess whether the proposed project impacts on human health.*

*Determination:* No impact.

**PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights.*

*Yes\_\_\_ No\_x\_\_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

*Determination:* No impact.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

*Impacts on:*

- (a) Cultural uniqueness and diversity? No impact.
- (b) Local and state tax base and tax revenues? No impact.
- (c) Existing land uses? No impact.
- (d) Quantity and distribution of employment? No impact.
- (e) Distribution and density of population and housing? No impact.
- (f) Demands for government services? No impact.
- (g) Industrial and commercial activity? No impact.
- (h) Utilities? No impact.
- (i) Transportation? No impact.
- (j) Safety? No impact.
- (k) Other appropriate social and economic circumstances? No impact.

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts None identified.

Cumulative Impacts None identified.

**3. *Describe any mitigation/stipulation measures:*** The purpose of the proposed modification is to assign a portion of the previously authorized mitigation water to a new beneficial water use permit. The mitigation plan has already been implemented to offset potential depletions to nearby surface water sources by retiring existing surface and groundwater irrigation in excess of predicted depletions.

**4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** No human or environmental impacts exist as a result of the proposed action, and the no action alternative is reduced capacity and usability of Jim Darcy School.

***PART III. Conclusion***

**1. *Preferred Alternative*** No preferred alternatives identified.

**2**      ***Comments and Responses***   None at this time.

**3.**      ***Finding:***

*Yes\_\_\_ No\_x\_\_ Based on the significance criteria evaluated in this EA, is an EIS required?*

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:*

An Environmental Assessment is the appropriate level of analysis because no significant adverse impacts were identified for the proposed project.

*Name of person(s) responsible for preparation of EA:*

Russ Gates  
Hydrologist/Water Resource Specialist  
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